

## REMARKS

Initially, Applicants thank the Examiner for the courtesies extended during the recent in-person interview. The claim amendments and arguments submitted in this paper are consistent with the amendments and arguments presented during the course of the interview. Accordingly, entry of this amendment and reconsideration of the pending claims is respectfully requested.

Claims 1, 2, 4-14, 16-21, 31 and 37 were rejected under 35 U.S.C § 103(a) as being obvious in view of Larsen (U.S. Pat. No. 6,539,539), hereinafter *Larsen*, and further in view of Mason (U.S. Pat. Pub. No. 2003/0093717), hereinafter *Mason*. Claims 22, 24-30 and 33 were rejected under 35 U.S.C § 103(a) as being obvious in view of *Larsen* and further in view of Forbes (U.S. Pat. Pub. No. 2002/0144218), hereinafter *Forbes*. Claims 3 and 34-36 were rejected under 35 U.S.C § 103(a) as being obvious in view of *Larsen*, in view of *Mason*, and further in view of *Forbes*. Claim 31 was rejected under 35 U.S.C. § 103(a) as being obvious in view of *Larsen* in view of *Mason* and further in view of Grier (U.S. Pat. Pub. No. 2002/0100017), hereinafter *Grier*.<sup>1</sup>

By this amendment claims 1, 22, 31, 33 and 34 have been amended.<sup>2</sup> No claims have been added or cancelled. Accordingly, claims 1-14, 16-22, 24-31 and 33-37 are pending, of which claims 1, 22, 31, 33 and 34 are the only independent claims at issue.

As discussed during the interview, the present invention is generally directed to using attribution to manage an application or service. For example, claim 1 defines a system that includes an application or service for installation on the system and attribution component that facilitates attributing selected parts of code of the application or service with management information, the attribution component allowing a system user to specify rules in the management information that identify one or more system health criteria that are to be met for the system to be considered healthy, the system health criteria indicating a plurality of different health states including intermediate health states that indicate a partially healthy or partially unhealthy system, the management information is identified within the attributed application or service using a uniform resource identifier, where the uniform resource identifier includes documentation falling into at least one of the following categories: text description, a browser

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> Support for the amendments to the claims is found throughout the specification and previously presented claims, including but not limited to paragraphs [0006], [0007], [0042], [0180], [0199], [0218], [0219] and Figures 1-7.

compatible help-link, parameter documentation, and a set of tags, where the system uses the management information to manage the installed application or service and where a manifest is generated based on the management information.

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

### **35 U.S.C. 102 and 103 Rejections**

As discussed during the interview, *Larsen* uses small software functions (probes) built into applications to determine if a service requested of an application is available (Abs.). The probes perform a functionality check to verify that a requested capability can or cannot be performed by the probe's associated application (Col. 4:45-52). When a calling application is initialized and starts to run, it executes the probes for each capability that it needs (Col. 4:58-59). "In the event a required probe is not available, a probe failure indication tells the calling application that it does not have the correct shared library. This allows the application to fail on initialization for a known, repairable reason..." (Col. 4:64-5:4). Accordingly, *Larsen*'s probes indicate whether the shared library can provide a requested service or not. If yes, the probes send a "Pass" indication and if no, the probes send a "Fail" indication (Col. 6:31-39). No intermediate states are reported. Only "Pass" or "Fail" is reported.

*Mason* is cited primarily to show a uniform resource identifier (URI) that identifies a software resource (par. [0020]). *Forbes* is cited primarily to show use of a manifest to manage installation, execution and uninstallation of software packages on a computer (pars. [0013] and [0019]). *Grier* is cited primarily to show an application configuration that overrides the binding information in an application manifest (par. [0009]).

Accordingly, while *Larsen* describes using probes to determine whether a shared library possesses a certain capability and while *Mason* describes using URIs to identify software resources using a manifest to manage software installation, none of the cited art mentions system health criteria indicating various different health states including intermediate health states. The cited art only reports "Pass" or "Fail" and does not report any intermediate states. More specifically, none of the cited art mentions various criteria that are to be met for the system to be considered healthy where the criteria indicate different health states including intermediate health states that indicate a partially healthy or partially unhealthy system. *Larsen* merely verifies that certain

functionality is provided or not provided by a shared library – *Larsen's* system does not provide criteria in user-specified rules that identify varying levels of system health.

Accordingly, at least for any of the reasons above, and as agreed during the interview, none of the cited art, alone or in combination, teaches or suggests “an attribution component that facilitates attributing selected parts of code of the application or service with management information, the attribution component allowing a system user to specify rules in the management information that identify one or more system health criteria that are to be met for the system to be considered healthy, the system health criteria indicating a plurality of different health states including intermediate health states that indicate a partially healthy or partially unhealthy system, the management information is identified within the attributed application or service using a uniform resource identifier,” as recited in combination with the other limitations of claim 1.

Moreover, at least for any of the reasons above, none of the cited art, alone or in combination, teaches or suggests “where the uniform resource identifier includes documentation falling into at least one of the following categories: text description, a browser compatible help-link, parameter documentation, and a set of tags; where the system uses the management information to manage the installed application or service and where a manifest is generated based on the management information” as recited in combination with the other limitations of claim 1.

Accordingly, at least for the reasons outlined above, claims 1, 22, 31, 33 and 34 patentably define over the art of record. Since each of the dependent claims depend from one of claims 1, 22, 31, 33 and 34, each of the dependent claims also patentably define over the art of record for at least any of the same reasons.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner

provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 1<sup>st</sup> day of March, 2010.

Respectfully submitted,

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